

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

EDMUND ZAGORSKI,

Plaintiff,

v.

BILL HASLAM, et al.,

Defendants

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Case No. 3:18-cv-01205

JUDGE TRAUGER

ORDER

On October 26, 2018, the court granted the plaintiff authorization to proceed in this case *in forma pauperis* and dismissed *sua sponte* two of the three counts of his Complaint. (Doc. No. 8.) The plaintiff now moves the court to enter judgment on the dismissed counts to enable him to take an immediate appeal of their dismissal before his execution, which is scheduled for Thursday, November 1, 2018. (Doc. No. 16.)

Rule 54 of the Federal Rules of Civil Procedure provides that:

When an action presents more than one claim for relief . . . the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines that there is no just reason for delay. Otherwise, any order or other decision, however designated, that adjudicates fewer than all the claims . . . does not end the action as to any of the claims or parties and may be revised at any time before the entry of a judgment adjudicating all the claims[.]

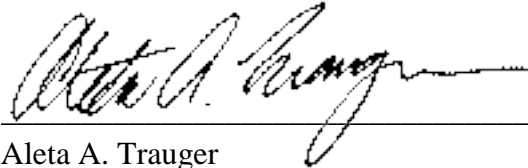
Fed. R. Civ. P. 54(b).

The court finds in this matter that there is no reason to delay entry of judgment and appeal regarding the dismissal of Counts I and II of the plaintiff's Complaint, and that immediate appeal is otherwise warranted. *See* Rule 54(b); 28 U.S.C. § 1292(b). Accordingly, the plaintiff's motion (Doc. No. 16) is **GRANTED**, and the Clerk of Court is **DIRECTED** to enter final

judgment with regard to Count I and Count II of the plaintiff's Complaint. Count III remains pending before this court.

It is so **ORDERED**.

ENTER this 30th day of October 2018.

A handwritten signature in black ink, appearing to read "Aleta A. Trauger", written over a horizontal line.

Aleta A. Trauger
United States District Judge